

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

**Clay County Rural Telephone Cooperative, Inc.
d/b/a Endeavor Communications**

**Application under Section 214 of the
Communications Act of 1934, as Amended, for
Global Authority for the Provision of Resold
International Switched and Private Line Services
Between the U.S. and Various International
Points Except Cuba.**

File No. TC _____

APPLICATION

Clay County Rural Telephone Cooperative, Inc. d/b/a Endeavor Communications (“Endeavor” or “Applicant”), by its attorneys and pursuant to Section 214 of the Communications Act of 1934, as amended (“the Act”), 47 U.S.C. 214, hereby requests global authority to operate as a resale carrier pursuant to the terms and conditions of Section 63.18(e)(2) of the Commission’s Rules to all foreign points, except Cuba, as authorized by the Commission. 47 C.F.R. 63.18 (e)(2). Endeavor has no affiliation with any foreign carrier in any of the destination countries for which authority is requested nor is Endeavor affiliated with any dominant U.S. carrier whose services Endeavor may resell. Thus, pursuant to Section 63.10 (a)(1) of the Commission’s Rules, 47 C.F.R. 63.10 (a)(1), Endeavor should be classified as a nondominant carrier in its provision of international service on all routes. Furthermore, as explained herein, this Application is entitled to streamlined processing under Section 63.12 of the Commission’s Rules. 47 C.F.R. 63.12. According to the FCC’s fee schedule, Fee Code CUT, a check in the amount of \$965.00 is attached hereto.

In support of its request for authority, Endeavor submits the following information pursuant to Section 63.18 of the Commission's Rules, 47 C.F.R. 63.18.

- (a) The name, address and telephone number of the Applicant is:

Clay County Rural Telephone Cooperative, Inc. d/b/a Endeavor Communications
2 South West Street
P. O. Box 237
Cloverdale, Indiana 46120-0237
Telephone: (765) 795-4261

- (b) Endeavor is a rural telephone company organized and existing under the laws of the state of Indiana.

- (c) Correspondence concerning this Application should be addressed to:

Richard E. Aikman, Jr.
Attorney at Law
STEWART & IRWIN, P.C.
251 East Ohio Street, Suite 1100
Indianapolis, Indiana 46204-2147
Telephone: 317-639-5454
Fax: 317-632-1319
Email: raikman@silegal.com

with copies to:

Michael R. East
President and CEO
Clay County Rural Telephone Cooperative, Inc. d/b/a Endeavor Communications
2 South West Street
P. O. Box 237
Cloverdale, Indiana 46120-0237
Telephone: 765-795-4261

- (d) Endeavor has not previously received Section 214 authority from the Commission.
- (e) Endeavor is applying for authority to operate as a resale carrier pursuant to the terms and conditions of Section 63.18 (e)(2) of the Commission's Rules. 47 C.F.R. 63.18 (e)(2). Endeavor requests authority to serve all countries permitted under a grant of global authority, with the exception of Cuba. As evidenced by

the certification provided in Attachment A, Endeavor will comply with the terms and conditions contained in Section 63.21, 63.22 and 63.23 of the Commission's Rules. 47 C.F.R. 63.21-63.23.

- (f) At this time, Applicant does not seek authority to provide service not referenced under paragraph (e) of Section 63.18 of the Commission's Rules. 47 C.F.R. 63.18(e).
- (g) Endeavor will use previously authorized facilities to provide the services requested by the Application. Consequently, Endeavor is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules. 47 C.F.R. 1.1306.
- (h) Endeavor is a rural telephone company organized and existing under the laws of the state of Indiana, 100 percent owned by its members. No entity or individual has 10 percent or more ownership interest in Endeavor.
- (i) As evidenced by the certification attached hereto as Attachment A, Endeavor is not affiliated with a foreign carrier.
- (j) As evidenced by the certification attached hereto as Attachment A, (1) Endeavor is not affiliated or otherwise related to any foreign carrier on any of the routes which Endeavor proposes to provide service in this Application; (2) Endeavor is not a foreign carrier and is not affiliated with a foreign carrier on any of the routes it proposes to resell international telecommunications service; (3) Endeavor is not affiliated with any foreign carrier on any of the routes it proposes to provide services. Therefore, Endeavor does not seek to provide international telecommunications service to any destination where:
 - (1) Endeavor is a foreign carrier in that country;

- (2) Endeavor controls a foreign carrier in that country;
 - (3) any entity that owns more than a 25% interest in Endeavor, or controls Endeavor, controls a foreign carrier in that country; or
 - (4) two or more parties own, in the aggregate, more than 25% of Endeavor and are parties to, or the beneficiaries of, a contractual relationship that affects the provision or marketing of international basic telecommunications services in the United States.
- (k) Not applicable; Endeavor is not affiliated or otherwise related to any foreign carrier on any of the routes which Endeavor proposes to provide service in this Application.
- (l) Not applicable; Endeavor is not a foreign carrier and is not affiliated with a foreign carrier on any of the routes it proposes to resell international telephone communications service.
- (m) Not applicable; Endeavor is not affiliated with any foreign carrier on any of the routes it proposes to provide services.
- (n) As evidenced by the certification provided in Attachment A, Endeavor has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.
- (o) As evidenced by the certification provided in Attachment A, no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(p) Endeavor respectfully requests streamlined processing of this Application pursuant to Section 63.12 of the Commission's Rules. 47 C.F.R. 63.12. This Application qualifies for streamlined processing for the following reasons:

- (1) Endeavor is not affiliated with a foreign carrier on any route for which authority is sought;
- (2) Endeavor is not affiliated with any dominant U.S. carrier whose international switched or private lines services it seeks to resell; and
- (3) Endeavor is not requesting authority to provide switched service over private lines to countries not previously authorized for service by the Commission.

Wherefore, Endeavor respectfully requests that the Commission grant it authority to provide international telecommunications services on a facilities and resale basis pursuant to Section 214 of the Communications Act of 1934, as amended.

Respectfully submitted,

Clay County Rural Telephone Cooperative, Inc.
d/b/a Endeavor Communications

by /s/ Michael R. East
Michael R. East
President and CEO
Clay County Rural Telephone Cooperative, Inc.
d/b/a Endeavor Communications
2 South West Street
P. O. Box 237
Cloverdale, Indiana 46120-0237
Telephone: (765) 795-4261

Date: _____

Attachment A

CERTIFICATE

The undersigned hereby certifies, on behalf of Clay County Rural Telephone Cooperative, Inc. d/b/a Endeavor Communications (“Endeavor”) with respect to the foregoing application for authority to provide international services, that:

1. Endeavor is not affiliated with any foreign carrier in any of the countries to which Endeavor proposes to provide service in the foregoing application.

2. Endeavor will comply with the terms and conditions contained in Section 63.21, 63.22 and 63.23 of the Commission’s Rules. 47 C.F.R. 63.21-.23

3. (1) Endeavor is not affiliated or otherwise related to any foreign carrier on any of the routes which Endeavor proposes to provide service in this Application; (2) Endeavor is not a foreign carrier and is not affiliated with a foreign carrier on any of the routes it proposes to resell international telecommunications service; (3) Endeavor is not affiliated with any foreign carrier on any of the routes it proposes to provide services. Therefore, Endeavor does not seek to provide international telecommunications service to any destination where: (1) Endeavor is a foreign carrier in that country; (2) Endeavor controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in Endeavor, or controls Endeavor, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of Endeavor and are parties to, or the beneficiaries of, a contractual relationship that affects that provision or marketing of international basic telecommunications services in the United States.

4. Endeavor has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.

5. No party to this application is subject to a denial for federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853 (a).

by /s/ Michael R. East
Michael R. East
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